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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA,

New York, N.Y.

4 v.

23 Cr. 490 (SHS)

5 ROBERT MENENDEZ,

6 Defendants.
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8 October 23, 2023

9 3:20 p.m.

10 Before:

11 HON. SIDNEY H. STEIN,

12 U.S. District Judge
13

14
15 APPEARANCES

16 DAMIAN WILLIAMS

United States Attorney for the

17 Southern District of New York

BY: PAUL M. MONTELEONI

18 ELI J. MARK

DANIEL C. RICHENTHAL

19 Assistant United States Attorneys

CHRISTINA A. CLARK

20 NATIONAL SECURITY DIVISION, DOJ

21 WINSTON & STRAWN, LLP

Attorneys for Defendant R. Menendez

22 BY: RICHARD WEBER

23 DAVID A. KOLANSKY
24

25 ALSO PRESENT: RYAN LARKIN, Special Agent, FBI

JENNIFER BREITENBACH, Special Agent, FBI

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(Case called)

THE DEPUTY CLERK: Counsel, please state your names for the record.

MR. MONTELEONI: Good afternoon, your Honor. Paul Monteleoni for the government, and with me at counsel table are my colleagues Eli Mark and Daniel Richenthal, as well as Christina Clark from the National Security Division, and Special Agents Ryan Larkin and Jennifer Breitenbach from the FBI.

THE COURT: Please, be seated in the back of the courtroom. Good afternoon, sir.

MR. WEBER: Good afternoon, your Honor. Richard Weber from Winston & Strawn for the defendant Robert Menendez.

MR. KOLANSKY: Good afternoon, your Honor. David Kolansky also from Winston & Strawn, counsel of record for Robert Menendez.

THE COURT: Good afternoon. Please, be seated.

We are here for the arraignment of Mr. Menendez. Mr. Menendez, would you rise, sir, please, and state your full name.

THE DEFENDANT: Robert Menendez.

THE COURT: Mr. Menendez, have you received a copy of superseding indictment 23 CR 490, sir?

THE DEFENDANT: I have, your Honor.

THE COURT: Have you read it?

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1 THE DEFENDANT: I have, your Honor.

2 THE COURT: Did you discuss it with your attorneys?

3 THE DEFENDANT: I have, your Honor.

4 THE COURT: Did they answer any questions you may have
5 had about it, sir?

6 THE DEFENDANT: They did, your Honor.

7 THE COURT: You have the right, sir, to have me read
8 that superseding indictment in open court, but if you don't
9 want me to read it, I won't. What's your pleasure?

10 THE DEFENDANT: I waive the reading, your Honor.

11 THE COURT: I accept that as a knowing and voluntary
12 waiver of the right to have the superseding indictment read in
13 open court. How do you plead to the charges in that
14 superseding indictment, sir; guilty or not guilty?

15 THE DEFENDANT: Not guilty, your Honor.

16 THE COURT: I accept your plea of not guilty,
17 Mr. Menendez. Thank you. You may be seated.

18 That's the sole purpose of this conference unless
19 there is anything else. Defense, is there anything else I can
20 do for you?

21 MR. KOLANSKY: No, your Honor?

22 THE COURT: Government?

23 MR. MONTELEONI: No thank you, your Honor.

24 THE COURT: Mr. Menendez, because you were not here
25 earlier at the earlier proceeding I excused you for, for the

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1 other business, I do wish to inform you what I told them, that
2 is, I have set a trial date here. And if, for any reason, you
3 decide that you want new counsel, what I am telling you is that
4 I'm asking you, directing you, to let me know as far in advance
5 as possible because I am not going to adjourn that set trial
6 date solely for the purpose of your obtaining new counsel. And
7 if you can't afford new counsel, you will have the right to
8 have that counsel appointed at no charge to you.

9 Do you understand those rights, sir?

10 THE DEFENDANT: Yes, your Honor.

11 THE COURT: Thank you. Since we have nothing else, I
12 thank everybody.

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